

EPPING HERMANN & FISCHER

PATENTANWÄLTE - EUROPEAN PATENT ATTORNEYS - EUROPEAN TRADEMARK ATTORNEYS



Epping Hermann & Fischer • Ridlerstraße 55 • D-80339 München

Mr. Charles Seeley
17396 N. W. Brickstone Ct.
Beaverton, OR 97006

USA

Wilhelm Epping, Dr.-Ing.
Uwe Hermann, Dipl.-Ing.
Volker Fischer, Dipl.-Ing.
Richard Schachtner, Dipl.-Phys.
Alwin Rietzler, Dipl.-Ing.
Michael Lettenberger, Dr. rer. nat.*

* Patentanwalt

Your Ref.:
021977-026

Our Ref.:
P2002,0542 US N

Munich,
November 4, 2003 (AR/KI)

U R G E N T

U.S.-Patent Application

Title: Error Reporting Network (ERN) in Multiprocessor Computer

Dear Mr. Seeley,

We are pleased to inform you that we have now filed with the United States Patent and Trademark Office the above mentioned U.S. patent application. Enclosed please find the specification, the Declaration and the Assignment forms. We kindly ask you to sign the following documents and return them to us as soon as possible:

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We have filled in your address and nationality according to the information stated in our documents. In case of any changes in your name, address and/or nationality please inform us.

Telephone: +49-89-5003290
Telefax: +49-89-50032999

E-Mail:
info@epping-patent-attorneys.de

Postal Address: P.O. Box 12 10 26
D-80034 München
Office Address: Ridlerstraße 55
D-80339 München

Bank: Account No. 383 89 530
HypoVereinsbank München
(Bank Code: 700 202 70)
VAT: DE812867287

EPHING HERMANN & FISCHER

Page 2 of our letter dated Nov 4, 2003
to Mr. Seeley
Our Ref.: P2002,0542 US N

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If you should have any questions, please do not hesitate to contact us.

Thank you in advance.

Very truly yours,



Alwin Rietzler
Patent Attorney

Encl.:

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PATENTANWÄLTE - EUROPEAN PATENT ATTORNEYS - EUROPEAN TRADEMARK ATTORNEYS



Epping Hermann & Fischer • Ridlerstraße 55 • D-80339 München

Fujitsu Siemens Computers, LLC
Mr. Charles Seeley
598 Gibraltar Drive
Milpitas CA 95035

USA
FAX ONLY: 0014085716196

REMINDER
28.08.03

Wilhelm Epping, Dr.-Ing.
Uwe Hermann, Dipl.-Ing.
Volker Fischer, Dipl.-Ing.
Richard Schachtner, Dipl.-Phys.
Alwin Rietzier, Dipl.-Ing.
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Page 2 of our letter dated Jul 08, 2003
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Alwin Rietzler

Patent Attorney

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Epping Hermann & Fischer • Ridlerstraße 55 • D-80339 München

Fujitsu Siemens Computers, LLC
Mr. Jason Lewis
598 Gibraltar Drive
Milpitas CA 95035

USA
FAX ONLY: 0014085716196

REMINDER

28.08.03

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* Patentanwalt

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Munich,
Jul 08, 2003 (AR/GM)

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Page 2 of our letter dated Jul 08, 2003
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Very truly yours,



Alwin Rietzler

Patent Attorney

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Mr. Jason Lewis
1377 SE 74th Ave
Hillsboro, OR 97123

USA

Wilhelm Epping, Dr.-Ing.
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Very truly yours,

A. Rietzler

Alwin Rietzler

Patent Attorney

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Fujitsu Siemens Computers, LLC
Mr. Stacey Lloyd
598 Gibraltar Drive
Milpitas CA 95035

REMINDER

28.08.03

USA
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EPPING HERMANN & FISCHER

Page 2 of our letter dated Jul 08, 2003
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Alwin Rietzler
Patent Attorney

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Mr. Stacey Lloyd
1898 Estate Drive
Hillsboro, Oregon

USA

Wilhelm Epping, Dr.-Ing.
Uwe Hermann, Dipl.-Ing.
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Very truly yours,

A. Rietzler

Alwin Rietzler
Patent Attorney

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Epping Hermann & Fischer • Ridlerstraße 55 • D-80339 München

Fujitsu Siemens Computers, LLC
Mr. Paul Kayfes
598 Gibraltar Drive
Milpitas CA 95035

USA
FAX ONLY: 0014085716196

REMINDER

28.08.03

Wilhelm Epping, Dr.-Ing.
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Munich,
Jul 08, 2003 (AR/GM)

U R G E N T

U.S.-Patent Application based on

Title: Error Reporting Network (ERN) in Multiprocessor Computer

Dear Mr. Kayfes,

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EPPING HERMANN & FISCHER

Page 2 of our letter dated Jul 08, 2003
to Mr. Kayfes
Our Ref.: P2002,0542 US N

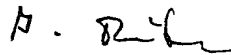
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Alwin Rietzler

Patent Attorney

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Mr. Paul Kayfes
335 NW Island Circle #B1
Beaverton, OR 97006

USA

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A. Rietzler

Alwin Rietzler
Patent Attorney

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Docket No.: P2002,0542

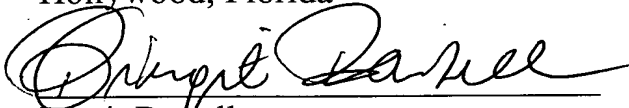
Application No.: 10/607,517

C E R T I F I C A T I O N

I, the below named translator, hereby declare that: my name and post office address are as stated below; that I am knowledgeable in the English and German languages, and that I believe that the attached text is a true and complete translation of e-mail correspondence between Alwin Rietzler and Guenter Frommel.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Hollywood, Florida


A handwritten signature in cursive script, appearing to read "Birgit Bartell", is written over a horizontal line.

Birgit Bartell

March 4, 2004

Lerner & Greenberg, P.A.
P.O. Box 2480
Hollywood, FL 33022-2480
Tel.: (954) 925-1100
Fax.: (954) 925-1101

Docket No.: P2002,0542
Application No.: 10/607,517

Translation of E-mail correspondence between Alwin Rietzler and Guenter Frommel

Rietzler, Alwin

From: Rietzler, Alwin
Sent: Friday, October 24, 2003
To: Guenter Frommel
Re.: AW: US Patent Application

Hallo, Mr. Frommel,

Have you been able to achieve anything?

Thus far, we have not yet received any documents. Once you have the addresses, we can contact the inventors directly.

Very truly yours,

Alwin Rietzler

[Name and Address of law firm]
[Note regarding confidentiality]

-----Original Message-----

From: Frommel, Guenter [SMTP: Guenter.Frommel@fujitsu-siemens.com]
Sent: Friday, August 29, 2003, 23:35
To: 'Rietzler, Alwin'
Cc: Schulz, Ruediger
Re.: RE: US Patent Application

Intermediate Report

With the help of Mark Myers, we are, in the meantime, in touch with some of the inventors.

Very truly yours,
Guenter Frommel

[Paragraph in English]

Dear Mr. Frommel:

The reason why we need the inventors' signatures is that, in the US, the inventor must always be applicant.

For this, the inventor must sign a declaration and then an assignment in order to assign the application to FSC LLC.

Without the inventors' signatures, the further prosecution of a US patent would make no sense because it would never belong to FSC LLC.

There is solely one exception, if, among several inventors, only one signature is missing, then a declaration can be made that this inventor, despite substantial effort, could not be reached.

We have already tried to reach the inventors, however, we were only successful in the case of Mark Myers. Please inform us in case you too have no possibility to reach the inventors. We would have to find another solution then, or abandon the applications.

Mr. Schulz is taking care of the Intel situation. As far as I am informed, the contracts have not yet been found.

Many Greetings,
Alwin Rietzler

-----Original Message-----

From: Frommel, Guenter [SMTP:Guenter. Frommel@fujitsu-siemens.com]
Sent: Tuesday, July 29, 2003 22:50
To: 'Rietzler, Alwin'
Cc: Frommel, Guenter; Poetsch, Edmund
Re: RE: US Patent Application

Dear Mr. Rietzler,

Today, I have received your letter of July 17, in which you asked for the current address of Mr. Paul Kayfes. We do not have it (and we are not allowed to have it anymore in our files since PK has not been MA now for years).

Also, we have not had an MA in Oregon for years so that there are no private contacts on which I could fall back. Since there is no duty to register in the US, it is not easy to get current addresses. I would only make these efforts if I were required to do so or if there were any other good reasons. Are these efforts justified?

In the interim, I have also received the documents from you by mail for the other addressees. Same situation. What do I do with it?

Has anyone checked the Intel situation? Do we have any obligations there?

Greetings, Guenter Frommel

-----Original Message-----

From: Frommel, Guenter
Sent: Thursday, July 10, 2003 3:21 PM
To: Frommel, Guenter; Poetsch, Edmund; 'Rietzler, Alwin'
Cc: Moreis, Bettina
Subject: RE: US Patent Application
Importance: High

It just occurred to me, that, according to my knowledge, at least an unlimited license to all IP rights of this Oregon Group was sold/granted to Intel at that time. This must most likely be taken into consideration prior to us making a decision on what should happen with the patent. The contract should be in the patent department in Munich. I have therefore added Mrs.

More is to the distribution list. The contract was handled by my predecessor, Fred Desantis. I know, however, that the German legal department was involved.

Greetings, Guenter Frommel

-----Original Message-----

From : Frommel, Guenter
Sent : Thursday, July 10, 2003 9:31 AM
To : Poetsch, Edmund; 'Rietzler, Alwin'
Subject: US Patent Application

Ref.: Letter from Epping, dated July 8

US Patent Application
021977-026/P2002,0542 US N - (ERN)

Dear Sirs,

The patent application stems from pyramid times and comes from the hardware group in Oregon, which still existed at that time (Manager Mark Myers). This group was broken up in December 1998, or parts were sold to Intel. We no longer have contact to the ex-coworkers, however, we could try to establish contact again in individual cases. Since there is no duty to register, this is not easy after 4½ years, and should therefore only be done if absolutely necessary.

I do not know the patent in detail - no copy in our files. In our today's working environment we do not make use of this IP (FSC, Inc.), since (referring to HW), m.W. is not within the PB/Mch/Abg activities.

The patent is therefore to be viewed such that FSC, regarding volume, has a more-attractive portfolio of newer patents, thus more image than usage.

For now, I will keep the faxes addressed to the ex-coworkers until I hear from you again.

Regards/Greetings

Guenter Frommel

Guenter Frommel, CEO
Fujitsu Siemens Computers, Inc.
598 Gibraltar Dr., Milpitas, CA 95035
off.(001-)408-571-6001; fax: 408-571-6199; mob. 408-569-7662
e-mail: guenter.frommel@fujitsu-siemens.com
Internet: <http://www.primecluster.com>

✓ **Rietzler, Alwin**

Von:
Gesendet:
An:
Betreff:



Rietzler, Alwin
Freitag, 24. Oktober 2003 20:05
'Frommel, Guenter'
AW: US Patent Application

Hallo Herr Frommel,

konnten Sie inzwischen etwas erreichen ?

Wir haben bisher noch keine Dokumente erhalten. Wenn Sie die Adressen haben, können wir auch direkt auf die Erfinder zugehen.

MfG
Alwin Rietzler

Epping Hermann Fischer
Patentanwalts-gesellschaft mbH

Office Address: Ridlerstrasse 55, 80339 Munich, Germany
Postal Address: P.O. Box 12 10 26, 80034 Munich, Germany
Tel. +49 (0) 89 500 329 - 0
Fax. +49 (0) 89 500 329 - 99

E-Mail: info@ehf-patent.com

This email may contain trade secrets or privileged, undisclosed or otherwise confidential information. If you have received this e-mail in error, you are hereby notified that any review, copying or distribution of it is strictly prohibited. Please inform us immediately and destroy the original transmittal. Thank you for your cooperation.

-----Ursprüngliche Nachricht-----

Von: Frommel, Guenter [SMTP:Guenter.Frommel@fujitsu-siemens.com]
Gesendet am: Freitag, 29. August 2003 23:35
An: 'Rietzler, Alwin'
Cc: Schulz, Ruediger
Betreff: RE: US Patent Application

Zwischenbericht:

Mit Hilfe von Mark Myers sind wir inzwischen in Kontakt mit einigen der Gesuchten.

MfG Guenter Frommel

-----Original Message-----

From: Rietzler, Alwin [mailto:alwin.rietzler@epping-patent-attorneys.de]
Sent: Monday, August 11, 2003 1:06 AM
To: Frommel, Guenter
Cc: Schulz, Ruediger
Subject: AW: US Patent Application

Sehr geehrter Herr Frommel,

der Hintergrund, weswegen wir die Erfinderunterschriften benötigen, ist, daß in den USA immer der Erfinder Anmelder sein muß.

Hierzu muß der Erfinder eine Declaration und anschließend ein Assignment unterschreiben, damit er die Anmeldung auf FSC LLC wieder überträgt.

Ohne die Erfinderunterschrift ist die Weiterverfolgung eines US-Schutzrechtes sinnlos, da es niemals FSC LLC gehören würde.

Es gibt lediglich die Ausnahme, wenn bei mehreren Erfindern eine einzige Unterschrift fehlt, dann kann eine Erklärung abgegeben werden, daß dieser Erfinder trotz erheblichem Aufwand nicht erreicht werden konnte.

Wir haben bereits versucht die Erfinder zu erreichen, hatten aber nur bei Mark Myers Erfolg. Bitte teilen Sie uns mit, wenn auch Sie keinerlei Möglichkeit haben die Erfinder zu erreichen. Wir müssten dann eine anderen Weg finden oder die Schutzrechte aufgeben.

Um die Intel-Situation kümmert sich Herr Schulz. Soweit ich informiert bin, wurden die Verträge noch nicht aufgefunden.

Viele Grüsse

Alwin Rietzler

> -----Ursprüngliche Nachricht-----

> Von: Frommel, Guenter [SMTP:Guenter.Frommel@fujitsu-siemens.com]

> Gesendet am:Dienstag, 29. Juli 2003 22:50

> An: 'Rietzler, Alwin'

> Cc: Frommel, Guenter; Poetsch, Edmund

> Betreff: RE: US Patent Application

>

> Sehr geehrter Herr Rietzler,

>

> ich habe heute Ihr Schreiben vom 17. Juli erhalten, in dem Sie nach
> der

> aktuellen Anschrift von Herrn Paul Kayfes nachfragen.

> Wir haben die nicht (und dürfen die auch nicht mehr in unseren

> Unterlagen

> haben, da PK seit Jahren kein MA mehr ist).

>

> Wir haben auch seit Jahren keine MA in Oregon mehr, sodass es auch

> keine

> privaten Verbindungen gibt, auf die ich zurueckgreifen koennte.

> Da die USA keine Meldepflicht hat, ist es auch nicht ganz so einfach

> an

> aktuelle Adressen zu kommen.

> Den Aufwand moechte ich nur treiben, wenn wir dazu verpflichtet sind

> oder es

> dafuer andere gute Gruende gibt.

> >>> Ist der Aufwand gerechtfertigt?

>

> Inzwischen habe ich von Ihnen per Post auch die Unterlagen fuer die
> anderen

> Adressaten erhalten. Gleiche Situation.

> >>> Was mache ich damit?

>

> >>> Hat jemand die Intel Situation geprueft? Haben wir daraus

> Verpflichtungen?

>

> Gruesse, Guenter Frommel

>

> > -----Original Message-----

> > From: Frommel, Guenter

> > Sent: Thursday, July 10, 2003 3:21 PM

> > To: Frommel, Guenter; Poetsch, Edmund; 'Rietzler, Alwin'

> > Cc: Moreis, Bettina

> > Subject:RE: US Patent Application

> > Importance: High

> >

> > Da faellt mir noch was ein:

> > Meines Wissens wurde damals an Intel auch zumindest eine

> > unlimitierte

> > Lizenz an allen IP rights dieser Oregon Gruppe verkauft/ vergeben.

> > Das muss sicher in Betracht gezogen werden, bevor wir entscheiden,

> > was aus

> > dem Patent werden soll.

> > Der Vertrag muesste in der Mchn Rechtsabteilung liegen. Ich habe

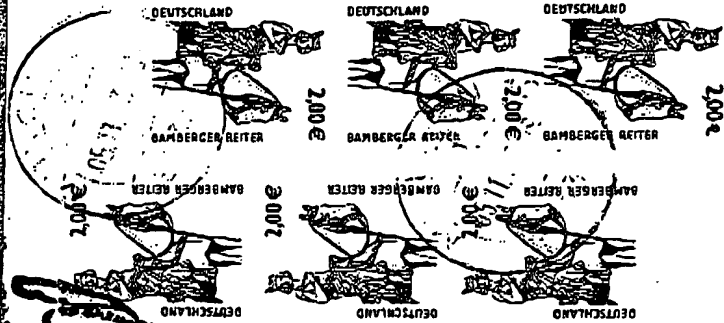
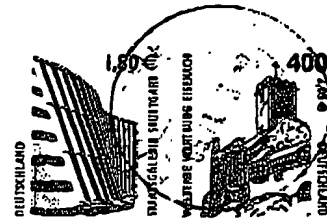
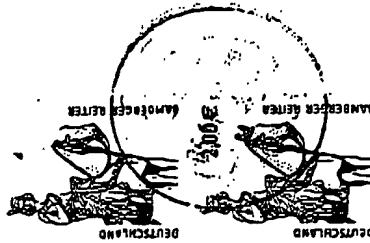
> > daher

> > Frau Moreis mit auf den Verteiler gesetzt.

> > Der Vertrag wurde von meinem Vorgaenger, Fred Desantis verhandelt.
> > Ich
> > weiss aber, dass die deutsche Rechtsabteilung involviert war.
> >
> > Gruesse, Guenter Frommel
> >
> > -----Original Message-----
> > From: Frommel, Guenter
> > Sent: Thursday, July 10, 2003 9:31 AM
> > To: Poetsch, Edmund; 'Rietzler, Alwin'
> > Subject: US Patent Application
> >
> > Ref.: Schreiben Fa Epping vom 8. Juli
> >
> > US Patent Application
> > 021977-026 / P2002,0542 US N - (ERN)
> >
> > Sehr geehrte Herren,
> >
> > die Patent-Applikation stammt noch aus Pyramid-Zeiten und kommt
> > aus
> > der damals noch existierenden Hardware Gruppe in Oregon (Manager
> > Mark
> > Myers).
> > Diese Gruppe wurde in 12/98 aufgeloeset, bzw. Teile an die Firma
> > Intel "verkauft". Wir haben keinen Kontakt mehr zu diesen
> > ex-Mitarbeitern,
> > koennten aber versuchen, den ueber private Kontakte in Einzelfaellen
> > wieder herzustellen. Da die USA keine Meldepflicht hat, ist das nach
> > 4 1/2
> > Jahren nicht ganz einfach, sollte also nur dann gemacht werden, wenn
> > wirklich erforderlich.
> >
> > Die Patentschrift kenne ich auch nicht in Detail - keine Kopie
> > hier
> > in unseren Unterlagen.
> > In unserer heutigen Arbeitsumgebung nutzen wir (FSC, Inc.) diese
> > IP
> > nicht mehr (da HW bezogen), m.W. auch nicht in den PB/Mch/Abg
> > Aktivitaeten.
> >
> > Das Patent ist daher vor allem aus der Sicht zu sehen, dass FSC
> > volumen-maessig ein attraktiveres Portfolio neuerer Patente hat,
> > also mehr
> > Image als Nutzen.
> >
> > Die an die ex-Mitarbeiter adressierten Faxe behalte ich erst mal
> > hier, bis ich wieder von Ihnen hoere.
> >
> > Regards / Gruesse
> >
> > Guenter Frommel
> >
> > _____
> > Guenter Frommel, CEO
> > Fujitsu Siemens Computers, Inc.,
> > 598 Gibraltar Dr., Milpitas, CA 95035
> > off. (001-)408-571-6001; fax: 408-571-6199; mob. 408-569-7662
> > e-mail: guenter.frommel@fujitsu-siemens.com
> > Internet: <http://www.primecluster.com>
> >
> >

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1898 Estate Drive
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Art der Sendung / Nature de l'envoi

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 Lettre / Prioritaire ☐ Paket
 Colis

☒ Einschreiben
 Recommandé ☐ Wertangabe
 Valeur déclarée
 Einlieferungs-Nr. der Sendung / N° de l'envoi Betrag / Montant

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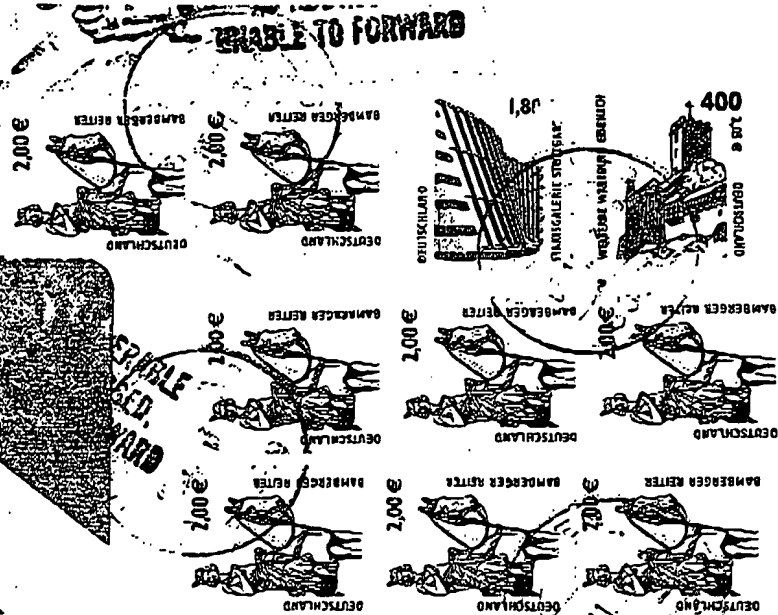
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Empfänger der Sendung / Destinataire de l'envoi

Jason Lewis

123 SE 24th Ave

Tulsa, OK 74123 USA

Art der Sendung / Nature de l'envoi

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Telefon / Téléphone

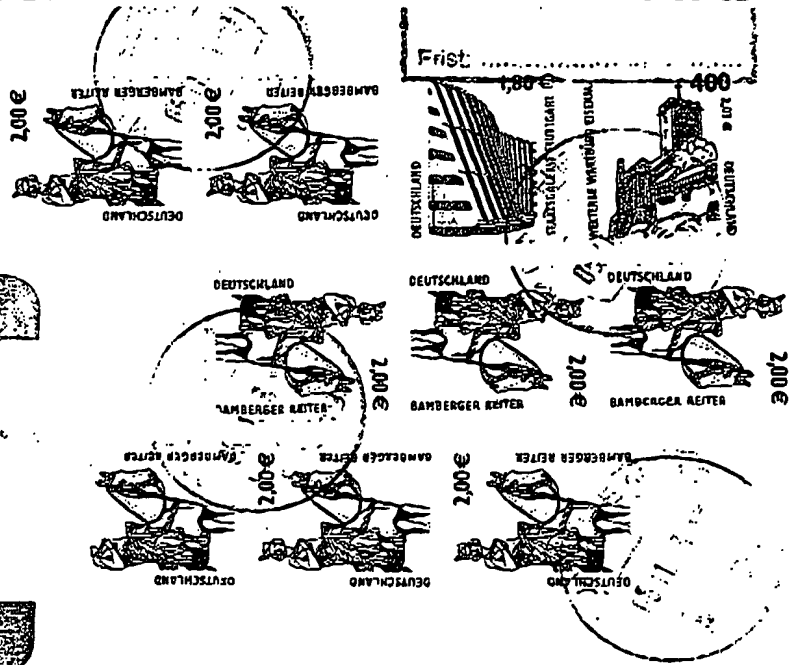
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Empfänger der Sendung / Destataire de l'envoi

Paul Kasper
335 NW Island Circle #E1
Beverton OR 97006 USA

Art der Sendung / Nature de l'envoi

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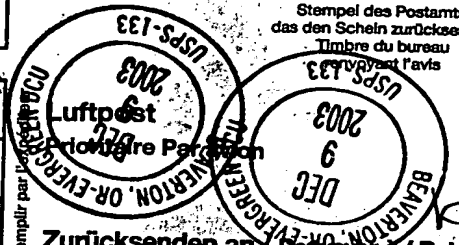
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